**Remarks/Arguments:**

The Declaration was objected to as not containing a mailing address for the inventor. This ground for rejection is overcome by the Application Data Sheet submitted herewith.

Claims 1 - 15 are pending in the application. All claims are presently rejected. The Applicant requests reconsideration of claims 1-15.

In the present invention one or more time selection fields are placed on an electronic program guide (EPG) display. Each of the time selection fields have a corresponding incremental time index associated with a predetermined time interval, e.g., a six hours period, a day, or a week. When a particular time selection field is activated, the incremental time index corresponding to that field is determined. The predetermined time interval associated with the determined incremental time index is then used to calculate a new time period for display by the EPG. By positioning the cursor within one of the time selection fields the user can incrementally move within the EPG in increments of the predetermined time interval associated with that time selection field. Thus, to move forward through the EPG in 24 hour increments, the user positions the cursor over the time selection field corresponding to the time index associated with a day and, then, uses arrow keys to incrementally move in 24 hour time intervals. Accordingly, the time index enables the use of a single field for incrementally moving through the EPG in predetermined increments of time.

Claims 1 and 4-7 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent Application Publication No. US2003/0066085 A1 to Boyer et al. (herein Boyer). Claim 1, as amended, contains at least one limitation not found in Boyer, namely:

> ...highlighting with a cursor [] at least one time selection field;
>
> activating the at least one time selection field after the highlighting step; [and]
>
> determining an incremental time index in response to the activating step...

Basis for this amendment may be found at page 11, lines 10-14.

In rejecting claim 1, the Examiner states that in Boyer a "user selects a desired day and time to view on [a] calendar [and a] new program guide is displayed correspond [sic] to the selected day and time to view ... Apparently, the method comprising: determining a time index in response to the activating step; calculating a new time of transmission for display based on the time index; [and] displaying the program guide information at the new time transmission." The applicant disagrees with this characterization of Boyer.

In Boyer, a user is presented with a "partial" calendar placed on an EPG display to select a day/date to view. For example, the user may be presented with the days of the week, e.g., Monday through Sunday. To view program listings for a particular day, e.g., Monday, the user selects the Monday field. The system then calculates a new time for the EPG to display based on the selection. Regardless of the current day or time displayed on the EPG in Boyer, if the Monday field is selected, the electronic program guide always displays program listings for Monday of the selected week. Boyer does not disclose or suggest that the selected date is an *incremental* time index. Thus, in Boyer to implement 24 hour time shifting, the EPG must display multiple fields that allow a user to select the particular day, i.e., 24 hour period, they desire.

This is unlike the present invention in which an incremental time index associated with a predetermined time interval is determined in response to an activating step. By determining an incremental time index, the present invention is able to use a single field to incrementally navigate through an EPG, e.g., in 6 hour, 24 hour, 168 hour increments, etc. Accordingly, EPGs employing a time index associated with a predetermined time interval of the present invention provide incremental navigation using a single field, rather that the multiple fields needed by the art of record, e.g., Boyer, to perform a similar operation. As screen real estate is a precious commodity, it is desirable to minimize the area required for user interface controls, which reduce the amount of actual content displayed by the EPG. Thus, the time index of the present invention offers an advantageous user interface control for incremental navigation using less screen real estate that controls found in the art of record.

Boyer is devoid of any teaching or suggestion of the incremental time index of claim. Since Boyer does not teach each and every element of independent claim 1, e.g., determining a time index, claim 1 is not anticipated by Boyer. Further, the time index of the present invention

is nowhere taught or even suggested by any of the art of record. Accordingly, claim 1 is patentable over the art of record and the rejection of claim 1 should be withdrawn.

Claims 4 - 7 which depend directly from claim 1, and contain all the limitations thereof, are patentable for at least the reason that claim 1 is patentable. Accordingly, the rejections of claims 4 - 7 should be withdrawn for at least this reason.

Claims 8 and 10 - 15 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,880,768 to Lemmons et al. (herein Lemmons). Claim 8 includes at least one limitation that is not found in Lemmons, namely:

> ...at least one time selection field for accessing the program guide information *at a predetermined time interval from the transmission time displayed on the display*...

Lemmons discloses an EPG. The EPG of Lemmons is a menu driven system in which a user uses a series of menus to access date selection fields and time period selection fields, e.g., morning, mid-afternoon, afternoon. By selecting a date from a menu, e.g., the first of the month, the user is presented with programs for the first of the month. Each time the user selects the first of the month the user is presented with programming for the first of that particular month regardless of the information currently being displayed.

This is unlike the present invention, which enable access of program guide information at predetermined time intervals relative to the currently displayed time interval using a time selection field. Thus, because the current invention allows access to program guide information that is "at a predetermined time interval from the transmission time displayed on the display," the present invention is able to use a single field to incrementally navigate through an EPG. As described above, the use of a single field for incremental navigations provides an advantageous user interface control that uses less screen real estate for incremental navigation than controls found in the art of record.

Lemmons does not disclose accessing program guide information at predetermined time intervals relative to the currently displayed time interval as recited in claim 8. Since Lemmons does not teach each and every element of independent claim 8, claim 8 is not anticipated Lemmons. Further, none of the art of record teach or even suggest accessing program guide

information at predetermined time intervals. Accordingly, claim 8 is patentable over the art of record and the rejection of claim 8 should be withdrawn.

Claims 10 - 15 which depend directly from claim 8, and contain all the limitations thereof, are patentable for at least the reason that claim 8 is patentable. Accordingly, the rejections of claims 10 - 15 should be withdrawn for at least this reason.

Claims 2 and 3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Boyer. Claims 2 and 3 depend either directly or indirectly from claim 1 and, therefore, contain all the limitations thereof. Since claim 1 includes features that are neither taught nor suggested by Boyer, claims 2 and 3 also include limitations that are neither taught nor suggested by Boyer. Thus, claims 2 and 3 are patentable for at least the reason claim 1 is patentable. Accordingly, the rejection of claims 2 and 3 should be withdrawn.

Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lemmons. Claim 9 depends from claim 8 and, therefore, contains all the limitations thereof. Since claim 8 includes features that are neither taught nor suggested by Lemmons, claim 9 also includes limitations that are neither taught nor suggested by Lemmons. Accordingly, claim 9 is patentable for at least the reason claim 8 is patentable. Therefore, the rejection of claim 9 should be withdrawn.

The references that were cited but not applied have been considered and do not affect the patentability of the invention.

In view of the arguments set forth above, the above-identified application is in condition for allowance, which action is respectfully requested.

Respectfully submitted,

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Tonya M. Berger